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10 OFFICEMAX INCORPORATED, a Delaware  
11 corporation and OFFICEMAX NORTH AMERICA,  
12 INC., an Ohio corporation

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 WILLIAM MINTER, JR., individually  
16 and on behalf of all those similarly  
17 situated,

18 Plaintiff,

19 v.

20 OFFICEMAX, INC., a Delaware  
21 corporation; OFFICEMAX, INC. fka  
22 BOISE CASCADE CORPORATION, a  
23 Delaware corporation; BOISE OFFICE  
24 SOLUTIONS, corporate form unknown;  
25 and, DOES 1 through 500, inclusive.

26 Defendants.

Case No.

007-02399

DECLARATION OF KRISTINE  
ALTHIER IN SUPPORT OF  
DEFENDANTS' NOTICE OF  
REMOVAL

27 I, Kristine Althier, hereby declare and state as follows:

28 1. I am employed by OfficeMax Incorporated ("OfficeMax") as the Director,  
Human Resources Information Systems. I have performed that job for almost two years;  
the position was formerly entitled Manager, Human Resources Information Systems. In  
that role, my responsibilities include overseeing access to and maintenance of  
OfficeMax's personnel data. Additionally, I oversee employees with the ability to run  
reports compiling employee personnel data, including dates of employment, title, and

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1 wage rate. This declaration is based on my experience, my personal knowledge,  
2 OfficeMax's business records kept in the ordinary course of business, and personnel data  
3 reports prepared by associates in my department.

4 2. OfficeMax operates retail stores through its subsidiary OfficeMax  
5 North America, Inc. OfficeMax North America, Inc. employs both part time and full time  
6 California employees at its retail stores. This declaration provides data for OfficeMax  
7 North America, Inc.'s full time employees in California.  
8

9 3. In addition, OfficeMax operates distribution centers and cross docks in  
10 California for its contract stationer business. OfficeMax employs both part time and full  
11 time employees at its distribution centers and cross docks. This declaration does not  
12 provide data for the full or part time employees of OfficeMax's contract stationer  
13 business.

14 4. The number of non-exempt full-time employees employed by OfficeMax  
15 North America, Inc. in its California retail stores during all or some of these relevant  
16 periods is:

17 March 21, 2003-March 21, 2004: 1030

18 March 21, 2004-March 21, 2005: 1053

19 March 21, 2005-March 21, 2006: 1068

20 March 21, 2006-March 21, 2007: 1024

21 5. Based on employee pay data that I have reviewed, the average weighted  
22 hourly wage (based on the number of non-exempt employees in each job classification)  
23 for full-time employees in the California retail stores during these relevant periods was  
24 approximately as follows:<sup>1</sup>  
25

26  
27 <sup>1</sup> These calculations are based on (1) multiplying the number of employees in each job  
28 classification times the average hourly wage for that job classification; (2) adding the hourly rates  
multiplied by the number of employees in each category together across job classifications; and  
(3) dividing that total by the total number of employees.

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1 March 21, 2003-March 21, 2004: \$12.85

2 March 21, 2004-March 21, 2005: \$13.23

3 March 21, 2005-March 21, 2006: \$13.25

4 March 21, 2006-March 21, 2007: \$13.45

5  
6 6. Full-time non-exempt employees separated from employment (voluntarily  
7 or involuntarily) with OfficeMax North America, Inc. at the company's California retails  
8 stores as follows:

9 March 21, 2003-March 21, 2004: 256

10 March 21, 2004-March 21, 2005: 292

11 March 21, 2005-March 21, 2006: 347

12 March 21, 2006-March 21, 2007: 332

13  
14 7. At all relevant times, the pay period for employees at OfficeMax North  
15 America, Inc.'s retail stores in California was every two weeks.

16  
17  
18 I declare under penalty of perjury under the laws of the States of Illinois and  
19 California and the United States that the foregoing is true and correct.

20 Signed at Naperville, Illinois, this 3rd day of May, 2007.

21 Kristine Alther  
22 KRISTINE ALTHER  
23  
24  
25  
26  
27  
28